

REMARKS

Status of the Claims

The following claims are now pending in the application: Claims 1, 3-5, 7, and 17.

Claims 1, 3, 4 , and 7 are amended to delete the recitations “substantially warp-free” and “mixed mass” and to provide proper antecedent basis.

Claim 19 is canceled without prejudice.

No change in scope or meaning of these claims results from this amendment.

No new matter is introduced.

Rejection under 35 U.S.C. § 112, 1st ¶ (Written Description) is Rendered Moot

Claim 19 was rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement.

The Examiner asserted *inter alia* that the “newly added claim 19 recites that the particles are dispersed ‘onto at least one side of a rolled linoleum sheet having no backing sheet. There is no support, in the original disclosure for the rolled linoleum sheet ‘having no backing’.” Office Action, Page 3, lines 1-3.

Although Applicants respectfully disagree with Examiner’s assertions, Claim 19 has been canceled without prejudice or disclaimer of Applicants’ right to pursue the subject matter of Claim 19 in any later continuing application.

Accordingly, any asserted basis for the rejection is now rendered moot, therefore, Applicants respectfully request that this rejection be reconsidered and withdrawn.

Rejection under 35 U.S.C. § 112, 2nd ¶ (Indefiniteness) is Rendered Moot

Claims 1, 3-5, 7, 17, and 19 were rejected under 35 U.S.C. § 112, first paragraph, as allegedly being indefinite. Of these claims, only Claims 1, 3-5, 7, and 17 remain pending.

The Examiner states,

Independent claims 1 and 19 recite “mixed mass” particles. It is not clear, from either the specification or the claims, what is meant by “mixed mass particles.

Claims 1 and 19 further recite that the particles are “substantially warp-free” pressed into the linoleum sheet. What is meant by “substantially warp-free” pressing? How does one determine whether warp-free pressing is taking place? Appropriate clarification or correction is needed.

Office Action, Page 3 Item No. 4.

Although Applicants believe that previous claim language (*i.e.*, “mixed mass” or “substantially warp-free”) was not indefinite in any respect and that the phrases “mixed mass” and “substantially warp-free” are defined sufficiently in Applicants’ original specification such that it would be readily understood by one of ordinary skill in the art, in order to advance prosecution, Applicants have amended Claims 1 (from which Claims 5 and 17 depend), 3, 4, and 7 to delete the recitation of the terms “mixed mass” and/or “substantially warp-free.”

Accordingly, any asserted basis for the rejection is now rendered moot, therefore, Applicants respectfully request that this rejection be reconsidered and withdrawn.

CONCLUSION

It is believed that all claims are in condition for immediate allowance. The Examiner is invited to contact the undersigned at (404)962-7527 with any questions concerning this submission.

Respectfully submitted,

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